

**TOWN OF WILLIAMSPORT
MAYOR AND COUNCIL MEETING MINUTES
September 12, 2011**

A regular meeting of the Williamsport Mayor and Council was held on September 12, 2011, at the Williamsport Town Hall in Williamsport, MD at 7:00 p.m.

In attendance were:

Mayor James G. McCleaf II
Asst. Mayor Anthony Drury
Councilwoman Joan Knode
Councilman Jim Kalbfleisch
Councilwoman Maya Haines
Councilman Bill Green
Town Attorney Ed Kuczynski

Also, present Donnie Stotemyer, Town Clerk

Mayor James G. McCleaf II called the meeting to order. Mayor McCleaf asked all in attendance to stand for a moment of silence followed by the pledge of allegiance.

A motion was made by Asst. Mayor Tony Drury to accept the minutes of the regular meeting held on August 8, 2011, workshop meeting minutes from September 6, 2011, seconded by Councilman Bill Green with all voting in favor motion carried.

Financial Report

Mayor McCleaf advised there was no financial report due to the annual financial audit being conducted by Draper and McGinley auditing firm.

Donnie Stotemyer, Town Clerk, presented Budget Amendment 2011-04

FY 2011 General Fund Budget Amendment 2011-04

Overview: Due to a increase in property tax and expenditures for activities in fiscal year 2011, not previously included in the original budget.

Detailed Summary:

Revenue:		
	Property tax	\$ 25,000.00
Expense:		
	Increase expenses highway and streets.	\$ 25,000.00

Councilwoman Joan Knode made a motion to adopt Budget Amendment 2011-04 as presented, seconded by Asst. Mayor Tony Drury, with all voting in favor motion carried.

Guests

Mayor James McCleaf introduced Mr. Buck Browning and Mr. Matt Krantz from the Washington County Boys & Girls Club. Councilman Bill Green presented a check to them from the Williamsport Bike Night Committee.

Mayor James McCleaf introduced Ms. Ellen Noll, President of the Williamsport Blue Band Booster Club. Councilman Bill Green presented a check to them from the Williamsport Bike Night Committee.

Mayor James McCleaf introduced Mr. Kevin Sullivan Band Director of Springfield Middle School Band. Councilman Bill Green presented a check to them from the Williamsport Bike Night Committee.

Mayor James McCleaf introduced Ms. Lee Ann Stotemyer from the Williamsport Food Bank. Councilman Bill Green presented a check to them from the Williamsport Bike Night Committee.

Correspondence

Mayor Jim McCleaf read a thank you note from Mr. Kevin Smoot Associate Pastor at Rehoboth United Methodist Church thanking the Mayor and Council for the support/sponsorship of the sports and rec evening camp held the week of July 11-5. The sponsorship was a great investment in lives of young people. The camp served 41 participants ages 8-12 with over 50% receiving financial assistance. Their hope and goal is to provide this experience again in 2012. Rehoboth United Methodist Church salutes the Town of Williamsport for being a game changer.

Mayor Jim McCleaf read a thank you note from the Washington County Health Department thanking the Mayor and Council for participating in the Healthy Families Program. They would like to take this opportunity to extend their gratitude for the Town's kindness and generosity in having our families to the Williamsport Pool on July 8, 2011. This opportunity allowed our moms and their babies to participate in safe, fun and educational activities within the local community.

Mayor James McCleaf informed the Council that the Washington County Chapter of the Maryland Municipal League will hold its next meeting on Monday, September 26, 2011 hosted by the Town of Keedysville. The meeting will be held at the McClellan Gun Club located at 524 Red Hill Road Keedysville MD. The menu for the evening will be grilled steak, baked potato, green beans, dessert and plenty of cold beverages. Anyone interested please let Town Clerk Donnie Stotemyer know.

Reports:

Board of Elections Supervisor

No report

Board of Zoning and Appeals

Town Attorney Ed Kuczynski reported that Brooke Grove Foundation will have an upcoming Board of Zoning Appeals hearing.

Town Attorney Ed Kuczynski reported a request by a representative of Brook Grove Foundation Inc for Special Exception to convert existing residential unit to offices for staff of Nursing Home Facility at 142 N. Artizan Street. Further requested is that parking for said facility being located at 140 N. Artizan Street. Properties are currently zoned Town Residential (TR).

Permit was denied per Article 3.305D.31 of the Zoning Ordinance.

Town Attorney Ed Kuczynski reported a request by Jack Phillip and Michele Murray to erect additional signage to existing designated Business Local (BL). Request was denied due to aggregate area of all signs attached will exceed 100 sq feet per Article 7.790C.2.(a) of the Town Zoning Ordinance . The proposed signage equals 181.83 sq feet; therefore requiring a variance of 81.73 sq feet.

History and Museum Board

Councilwoman Joan Knode of the Museum and History Board reported on Williamsport Days event held August 27 and 28, 2011 in Byron Memorial Park. She reported author Tim Snyder would be conducting a book signing October 8, 9, 10 & Nov 6 - 2011 Walking in the Water Book Signing.

Planning Commission

Mayor James McCleaf reported on the following:

Permits Reviewed:

2011-027	1 West Potomac Street	Zoning Permit	Approved
2011-028	15813 Lockwood Road	Limited Business Use – zoning permit	Approved
2011-029	9 N. Artizan Street	Construction Permit	Approved
2011-030	34 E. Salisbury Street	Roof over Patio -Construction Permit	Approved

Business:

Draft written for fee policy proposal submitted for Mayor and Council critique
Gateway Signs

Outstanding Business:

Buffer Ordinance – still pending from attorney
Demolition Ordinance – still pending from attorney
Update Zoning Map will be undertaken by County Planning, meeting next month.
Printer Availability

The Planning and Zoning Commission meets weekly on Wednesday at 10:00 a.m., unless no agenda present

Land Use

No report

Legal Council

No report

Sheriff's Report

Mayor James G. McCleaf II gave the Sheriff's report for August 2011.

Council report

Councilman James Kalbfleisch reported on the following:

- **Wholesale Power Supply** – The Town continues to pursue the option to extend the current power supply contract with Allegheny for another year beginning June 1, 2013.
 - Expectations are that the new extension would result in an additional reduction in power supply costs in comparison to current rates.
 - Finalization of the Term and Pricing are eminent.
- **Retail Rate Filing** – The Retail Rate Case was completed and filed with the Maryland Public Service (“PSC”) on August 26, 2011.
 - The Case No. assigned to this filing is 9281 for those that wish to follow its progress at the Commission.
 - On September 8th 2011 (as anticipated), implementation of these rates has been suspended by the Commission for 150 days to conduct proceedings in this matter.
 - The first prehearing conference for this rate case will be held at the Commission on October 6, 2011 at 10:00 AM.
 - Advertisement of the prehearing conference for the Town of Williamsport is forthcoming.
- **Tariff Maintenance** – August 16, 2011 the PSC held a public rule making session regarding several regulation changes to “Net Metering”.
 - Even though the rules and regulations were not finalized in the previous rule making session, the Town will move forward with developing Net Metering policies in line with the rules currently in place.

- **Metering upgrades** – The process of installing of meters capable of being read remotely continues

Mayor James McCleaf gave Councilman Tim Fraker report concerning the pool

- 1.) Buck Night was held on Monday, August 22, 2011 Attended by 206 people, Hamburgers, Hot Dogs, French Fries, Soda, was served. Good time had by all. Town Residents thanked the town for hosting a great that caters to families. Everyone would like to see the town host this event again next year. Special thanks to Donnie Stotemyer, Bill Green, Mark Crilly and the Williamsport Blue Band and everyone that helped with this event.
- 2.) The Pool has been drained and is in the process of being winterize.
- 3.) ARE has already removed both pool motors, each have been reconditioned and stored until next pool season
- 4.) No major injuries were reported during this pool season
- 5.) Special Thank you to our pool staff for a wonderful job they performed during this year's pool season.
- 6.) POOL IS CLOSED!!!!

Councilwoman Joan Knode reported that the Town of Williamsport will be hosting the Chamber of Commerce Mixer at the Springfield Farm Barn which is scheduled for Thursday, September 15, 2011 from 5:00 pm to 7:00 pm.

Asst. Mayor Tony Drury thanked Donnie Stotemyer and staff for their hard while working on the water meter project every day.

Councilman Bill Green reported that the three-way pedestrian crosswalk is currently being constructed at the Cushwa Basin. He also reported that the Pirate Plunder Event is scheduled for Sunday, September 18, 2011 from 1-5:00 pm. He stated that the overlay project for East and West Frederick Streets is in the process of being milled.

Councilwoman Maya Haines raised concerns for the Nick Adenhardt 5K Run scheduled for June 8 & 9 2012 in the Town of Williamsport. She conveyed to the Mayor and Council that some scheduling conflicts for this event should have been brought before the Mayor and Council. This event is going to be hosted at the Williamsport High School for 2012. Councilwoman Joan Knode explained to the Mayor and Council the chain of events that led up to the hosting of this event.

Mayor's Report

Mayor James McCleaf reported the recent audit indicated good numbers and he appreciated Donnie Stotemyer, Town Clerk and his staffs' cooperation with the auditing staff and their hard work. Good job! Approaching the busy season with Charlie Brown Christmas and getting the park ready for Christmas. He is looking for volunteers to help set up the lights - 1st set to go up in November.

Unfinished Business

Town Attorney Ed Kuczynski advised the Council that the mowing and snow removal contract for the Town of Williamsport would have to be bid for fiscal year 2012. He stated that Advantage Landscape had asked for a contract extension. Mr. Kuczynski explained that the current contract that is about to expired was only bid for a one-year term. Councilman Jim Kalbfleisch made a motion to put the contract for mowing and snow removal out to bid for fiscal year 2012, seconded by Asst. Mayor Tony Drury with all voting in favor motion carried.

Mayor James McCleaf reviewed with the Council the Financial Audit Report for Fiscal Year 2011 that was prepared by Draper and McGinley of Frederick Maryland. Councilwoman Joan Knode made a motion to adopt the Financial Audit Report for Fiscal Year 2011 as presented, seconded by Councilman Bill Green with all voting in favor, motion carried.

Mayor McCleaf reviewed with the Council the Overlay Project scheduled for East and West Frederick Street, East and West Church Street, and South Vermont Street. State Highway Administration is funding 80% of the project cost. The project would consist of milling 2" of all street locations and 2" overlay of all streets. Mayor McCleaf explained when East and West Frederick Streets are milled, if there was any evidence of soft spots underneath the pavement that these areas would be revealed once the milling process was completed. There have been concerns since the sewer project has been completed on East and West Frederick Street this would provide W. F. Delawter ample time to fix soft spots that need repaired if any are detected. Mayor McCleaf also explained that the town is piggy backing off Washington County Administrative Design fee for this project.

Councilman Bill Green made a motion to award Craig Paving the overlay project for East and West Frederick Streets, East and West Church Streets, and South Vermont Street, seconded by Councilwoman Joan Knode with all voting in favor, motion carried.

Mayor James McCleaf reviewed with the Council the proposed truck traffic ordinance that would prevent truck traffic in Town center. Town Attorney Ed Kuczynski questioned the Mayor and Council concerning weight restriction. Mayor McCleaf stated trucks weighing more than 26000 lbs GVW would not be permitted in Town Center. Town Attorney Ed Kuczynski recommended to the Council that the ordinance would include exceptions on truck weight in town for maintenance, construction, deliveries and emergency vehicles. Councilman James Kalbfleisch made a motion to introduce the Town of Williamsport Truck Traffic Ordinance, Asst. Mayor Tony Drury seconded, with all voting in favor motion carried.

Mayor James McCleaf reviewed with the Council the recommended Planning and Zoning Fee Policy for the Town of Williamsport. The Mayor tabled further discussion on the Fee Policy until the Commission gives their final recommendation on the fee structure.

New Business

Mayor James McCleaf reviewed with the Council the recommended Planning and Zoning fee policy for the Town of Williamsport. Town Attorney Ed Kucynski informed the Council that his fee policy would have to be introduced as an ordinance.

Mayor James McCleaf informed the Council that Team Director AVC/Team Joseph Jefferson is seeking financial support for the promotion of the 2012 Tour of Washington County Stage Race which will take place in the Town of Williamsport on June 17, 2012. The Tour of Washington County Stage Race is a competitive bicycle race for amateur athletes and the final stage of this Tour de France styled event has taken place in the Town of Williamsport for the past four years. The committee is seeking financial support from the funding that the Town of Williamsport obtains via the hotel rental tax fund. The Council feels it needs additional information.

Mayor James McCleaf explained to the Council that the Town of Williamsport has been awarded a \$20,000 grant from the Appalachian Regional Commission. This is a matching grant that the Town is required to match. The grant will be used towards painting of bike lanes, town web site, street light banners and the greening of the downtown area. Councilwoman Joan Knode made a motion to accept the \$20,000 grant award from the Appalachian Regional Commission seconded by Councilwoman Maya Haines with all voting in favor motion carried.

Town Attorney Ed Kuczynski reviewed with the Council that Town Resident Jessica Williams 9 N. Artizan Street Williamsport MD is requesting a licensing agreement from the Town of Williamsport. She is seeking to construct a porch to the west elevation of existing dwelling. This would be in the Town's right of way. Town Attorney Ed Kuczynski stated Ms. Williams will be required to provide a location survey by a certifiable company. Councilwoman Joan Knode made a motion to introduce ordinance on condition on location survey being conducted to issue Ms. Jessica Williams 9 N. Artizan Street Williamsport MD a easement license agreement to allow her to construct her porch seconded by Asst. Mayor Tony Drury with all voting in favor, motion carried.

Mayor James McCleaf informed the Council that he would entertain a motion to move into Executive Session to consult with legal counsel over the adoption of a 24 hour business ordinance.

Councilman James Kalbfleisch made a motion to move into Executive Session seconded by Asst. Mayor Tony Drury with all voting in favor motion carried.

Citizen Participation

Town resident Walter Williams thanked the Bike Night Committee for their recent donation to the Conococheague Little League for travel expenses in the Little League World Series Tournament.

Washington County Commissioner President Terry Baker thanked Town resident Walter Williams for the great job he has done with the Conococheague Little League and wished his continued success.

Town resident Mark Beasley raised concerns over open burning in the neighbors back yard. Mayor McCleaf informed Mr. Beasley that a letter of enforcement would be sent to the resident and the Town deputy would be informed about enforcing the fire ordinance.

A motion was made by Councilman Jim Kalbfleisch to adjourn, seconded by Asst. Mayor Tony Drury with all voting in favor, motion carried, meeting adjourned.

Respectfully submitted,

Donnie Stotelmyer
Town Clerk
Town of Williamsport